



# Marcy Robinson Dembs

*Partner*

*Syracuse*

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## Education

- Middlebury College, BA
- Syracuse University College of Law, *Magna Cum Laude*, JD

## Practices & Industries

- Trusts & Estates

## Admitted to Practice

- New York
- Florida

## Biography

With over 32 years of experience, Marcy primarily concentrates her practice on estate planning, trust and estates administration, and estate-related litigation, with a special interest in supplemental-needs trusts and the representative needs of individuals with disabilities. She practices throughout Central New York while maintaining a large presence in the North Country.

From litigating assets wrongly removed from an estate by an agent using a power of attorney to assisting business owners with succession planning and transfers, Marcy's goal is to educate her clients and help them make informed decisions regarding estate and business plans. Marcy also uses her knowledge and insights to help clients take better advantage of federal and state estate-tax laws.

## Bar Associations

- Florida Bar Association
- Jefferson County Bar Association
- New York State Bar Association
- Onondaga County Bar Association

## Selected Memberships & Affiliations

- Barclay Damon Women's Forum
- National Academy of Elder Law Attorneys
- United Way of Central New York –Women United

## Representative Experience

- Routinely represents estate-planning needs of noncitizens, addressing unique estate- and gift-tax ramifications of status.
- Successfully used constructive trust theory to recover life insurance proceeds wrongly diverted from a decedent's children to the surviving spouse in violation of the children's mother's separation agreement with the decedent.
- Successfully litigated to replace a trustee based on breach of fiduciary duty for lack of diversification of portfolio and excessive fees.
- Created and funded numerous supplemental needs trusts in wills. Used *post mortem* judicial reformation and pursuant to regulations for *inter vivos* trusts to position adults with disabilities to qualify for critically needed governmental medical assistance.
- Successfully defended a will contest by the decedent's immediate family in favor of the will beneficiaries in litigation involving the choice of law principals and complex issues of proof.

## Prior Experience

- Hiscock & Barclay, LLP, Partner
- Menter, Rudin & Trivelpiece, P.C., Shareholder

## Selected Community Activities

- United Way of Central New York, Leadership Development Committee Member
- Huntington Family Centers, Former Board Member and Chair
- Clayton Antique Boat Museum, Former Trustee
- Planned Parenthood of the Rochester/Syracuse Region, Former Board Member

## Selected Honors

- *The Best Lawyers in America*®: Trusts and Estates, 2021–2025
- Selected to *Super Lawyers* Upstate New York: Business/Corporate, 2009–2013; Estate & Probate, 2014–2021

## Selected Speaking Engagements

- RBC Seminar, “Spouses, Medicaid & Responsibility”
- RBC Seminar “Legal Tips for Moving Out of New York”
- UBS Estate Planning and Elder Care, “Lunch and Learn” Seminar Series
- New York State Bar Association, Frequent Lecturer

## Selected Media

- WWNY, “Local Attorney Discusses New Power of Attorney Statute”
- Northern New York Community Foundation Newsletter, “Charitable Contributions a ‘Non-Factor’ in Donor Domicile”
- WWNY, “DNA Databanks and the Law”
- WWNY, “Local Attorney Discusses Hate Crime Laws”
- WWNY, “Local Attorney Discusses Proposals to Combat Sexual Harassment”

## Selected Alerts & Blog Posts

- Remote Online Notarization in New York State
- Changes to the New York State Power of Attorney Law Take Effect June 13, 2021
- NYS Legislature Approves Changes to Power of Attorney Law
- COVID 19: NYS Relaxes Requirements for Signing Wills, Other Documents